

08-0-1023

AN ORDINANCE

08-O-

BY: COUNCILMEMBER NATALYN ARCHIBONG

Z-08-

*Natalyn Archibong*  
**AN ORDINANCE TO REVOKE THE SPECIAL USE PERMIT AUTHORIZED BY U-95-32 / 95-O-1461 FOR A PERSONAL CARE HOME LOCATED AT 606 FLAT SHOALS AVENUE, S.E. FOR FAILURE OF THE OPERATOR TO OBSERVE THE REQUIREMENTS OF 16-25.001 ET SEQ. OF THE CITY OF ATLANTA LAND DEVELOPMENT CODE; AND FOR OTHER PURPOSES.**

**WHEREAS**, a special use permit for the operation of a Personal Care Home located at 606 Flat Shoals Avenue, S.E. was granted by the Council pursuant to U-95-32 / 95-O-1461 and approved per Section 2-403 of the Charter (copy attached as Exhibit "A"); and

**WHEREAS**, a condition of a special use permit is that arrangements have been made regarding the hours and manner of operation of the facility; and

**WHEREAS**, over the last several months there has been an increase in the number of 911 calls for the subject property; and

**WHEREAS**, recently there has been an incident where a resident patient has been improperly allowed off of the property that resulted in the resident patient being shot by a terrified neighboring homeowner; and

**WHEREAS**, it is necessary for the City Council to take action to acknowledge that the failure of the property owner to maintain the facilities in a manner that is in keeping with the public safety, health and welfare is good and sufficient cause to revoke the special use permit granted pursuant to U-95-32 / 95-O-1461; and

**WHEREAS**, a public hearing is a part of the requirements for the change in the status of this special use permit and the evidence on the record at that hearing is available for the review of the City Council in making its decision.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA HEREBY ORDAINS, AS FOLLOWS:**

**SECTION 1:** For good cause having been shown at the hearing before the Zoning Review Board and the record of that public hearing having been available for review by this Council, the special use permit granted pursuant to U-95-32 / 95-O-1461 for the operation of a Personal Care Home located at 606 Flat Shoals Avenue, S.E. is revoked and that ordinance is rescinded in its entirety.

**SECTION 2:** This ordinance shall become effective immediately upon signing by the Mayor or as otherwise provided by the operation of law.

95- 0 -1461

MUNICIPAL CLERK  
Atlanta, Georgia

AN ORDINANCE  
BY: ZONING COMMITTEE

U-95-32  
7-31-95

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1. Under the provisions of Section 16-05.005(1)(g) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Personal Care Home is hereby approved. Said use is granted to Felecia Hawk Azike and is to be located at 606 Flat Shoals Avenue, S.E. to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 176 of the 15th District, DeKalb County, Georgia, being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

A true copy,

  
Municipal Clerk, GMC

ADOPTED by the City Council

November 06, 1995

RETURNED WITHOUT SIGNATURE BY MAYOR

APPROVED as per Section 2-403 of the 1974 Charter

ATLANTA CITY COUNCIL

## ZONINGFAV

## Adopt

95-0-1116  
95-0-1123  
95-0-1125  
95-0-1173  
95-0-1460  
95-0-1461  
95-0-1465

Y ALEXANDER D.  
Y ALEXANDER P.  
NV ARRINGTON

ZONINGFAV

95-0-1461

(Do Not Write Above This Line)

AN ORDINANCE  
BY: ZONING COMMITTEE

U-95-32

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME FOR THE ELDERLY [SECTION 16-05.005 (1)(g)] PROPERTY LOCATED AT 606 FLAT SHOALS AVENUE, S.E. FRONTING APPROXIMATELY 55 FEET ON THE NORTHWEST SIDE OF FLAT SHOALS AND NEWTON AVENUE. DEPTH: 210.19 FEET; AREA: .48 ACRES; LAND LOT 176, 15TH DISTRICT OF DEKALB COUNTY, GEORGIA.

OWNER: WILLIE MAE JOHNSON

APPLICANT: FELECIA HAWK

NPU-W COUNCIL DISTRICT 5

ADOPTED BY

NOV 06 1995

COUNCIL

- ☐ CONSENT REFER
- ☒ REGULAR REPORT REFER
- ☐ ADVERTISING & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred 10/2/95

Referred To ZRB & Zoning

Date Referred

Referred To

Date Referred

Referred To

First Reading 2/22/95

Committee

Date

Chair

Referred to

Committee

Date

Chair

Actions

Fav, Adv, Hold (see rev. slide)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Hold (see rev. slide)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Hold (see rev. slide)

Others

Members

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED

NOV - 6

Morris S. Dancy

COUNCIL PRESIDENT

- 6 1995

MAYOR'S ACTION

APPROVED

NOV 15 1995

WITHOUT SIGNATURE  
BY OPERATION OF LAW

MAYOR